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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/731,489

12/08/2003

Mark L. Enders

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7590

03/03/2008

Sally J. Brown
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EXAMINER

GOODEN JR, BARRY J

ART UNIT

PAPER NUMBER

3616

MAIL DATE

DELIVERY MODE

03/03/2008

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/731,489	Applicant(s) ENDERS ET AL.	
	Examiner BARRY J. GOODEN JR	Art Unit 3616	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on RCE filed December 7, 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,5,6,15,16,24,26,27,35,37-40 and 49-54 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 35,37-40 and 49-53 is/are allowed.
- 6) ☒ Claim(s) 1,5,6,15,16,24,26,27 and 54 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 08 December 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

This office action is in response to the amendment filed August 30, 2007.

Currently, claims 1, 5, 6, 15, 16, 24, 26, 27, 35, 37-40, and 49-54 are pending. Claims 1, 5, 24, and 26 are amended. Claims 2-4, 7-14, 17-23, 25, 28-34, 36, 41-48 are cancelled. Claim 54 is new.

Claim Objections

1. Claim 35 is objected to because of the following informalities:

Claim 35, line 6, "deploy a deployable" should be replaced with -- deploy the deployable --.

Appropriate correction is required.

Claim Rejections - 35 USC § 112

2. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

3. Claims 1, 5, 6, 15, 16, 24, 26, 27, and 54 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

In regards to claims 1, 5, 6, 15, 16, 24, 26, 27, and 54, the claims make mention to deployable reaction surfaces being components of the airbag module, where the airbag module is clearly a separate component from the steering wheel (where a deployable reaction surface is located in the handle portions). Also the claims mention

trim covering and contacting the deployable reaction surface, the specification does not appear to support this assertion (the airbag trim does not contact the handle's deployable reaction surface). Furthermore there appears to be several cases of double inclusion. Should the applicant wish to claims more than one deployable reaction surface a more clear indication should be made rather than through use of double inclusion.

Examiner suggests a careful revision of the claims.

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

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3. Claims 1, 5, 6, 24, and 26, as best understood, are rejected under 35 U.S.C. 103(a) as being unpatentable over Ochiai et al. in view of Shiraki, US Patent 5,069,477.

In regards to claims 1, 5, 6, 24, and 26, Ochiai et al. shows a steering wheel assembly comprising:

- a non-circular steering wheel (13);

- an airbag module mounted to the steering wheel (13), the airbag module including an airbag inflator (20b), an inflatable airbag cushion (20c), and an airbag module housing (11,20a,21); and,

- a deployable reaction surface (11) for providing or receiving a reaction force for the airbag cushion (20c) when deployed and inflated, further comprising trim (18) that covers the reaction surface when the airbag cushion is undeployed and wherein the trim contacts the reaction surface when the airbag cushion is deployed;

- wherein the deployable reaction surface is a component of the airbag module;

- wherein the deployable reaction surface is at least a portion of the airbag module housing (11,20a,21) which deploys to provide a reaction force for the inflatable airbag cushion (20c).

In regards to claims 1, 5, 6, 24, and 26, Ochiai et al. does not teach the module housing having hingedly connected doors.

Shiraki teaches an airbag module having hingedly connected doors:

It would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the module housing of Ochiai et al. in view of the

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teachings of Shiraki to include hingedly connected doors so as to provide a protective cover for the airbag device which will allow the airbag to deploy in a guided manner.

4. Claims 27 and 54, as best understood, are rejected under 35 U.S.C. 103(a) as being unpatentable over Ochiai et al. in view of Shiraki 1, 5, 6, 24, and 26 as detailed above, and further in view of Lang, US Patent 6,364,345 B1.

In regards to claims 10, 27, 31, 43 and 46, the combination of Ochiai et al. in view of Shiraki teaches all of the claimed elements as detailed in Office Action Item 2 and 6 above, except for the hingedly connected doors being spring-loaded.

Lang teaches a hingedly connected door being spring-loaded.

It would have been obvious to one having ordinary skill in the art at the time the invention was made to further modify the module housing with hingedly connected doors in view of the teachings of Lang to include the hingedly connected doors being spring loaded so as to facilitate the deployment of the hingedly connected doors.

Response to Arguments

5. Applicant's arguments filed December 7, 2007 have been fully considered but they are not persuasive.

Allowable Subject Matter

4. Claims 35, 37-40, and 49-53 are allowed.

5. Claims 15 and 16 would be allowable if rewritten to overcome the rejection(s) under 35 U.S.C. 112, 2nd paragraph, set forth in this Office action and to include all of the limitations of the base claim and any intervening claims.

Conclusion

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to BARRY J. GOODEN JR whose telephone number is (571)272-5135. The examiner can normally be reached on Monday-Friday 8:00am-4:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Lesley Morris can be reached on (571) 272-6651. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Barry J Gooden Jr.

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/Anne Marie M Boehler/
Primary Examiner, Art Unit 3611
BJG

Examiner
Art Unit 3616